

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

James I. Scarpo,)	C/A No.: 1:22-3913-SAL-SVH
)	
Plaintiff,)	
)	
v.)	
)	ORDER
Charles Williams, Warden of Perry)	
Correctional Institution; Cynthia)	
Baldwin, Dentist; and Director)	
Bryan Stirling,)	
)	
Defendants.)	
)	

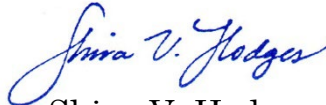
This matter was removed to this court on November 7, 2022. On January 26, 2023, defendant Cynthia Baldwin filed a motion to dismiss. [ECF No. 33]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motion and of the need for him to file an adequate response by February 27, 2023. [ECF No. 35]. Plaintiff was specifically advised that if he failed to respond adequately, the motion may be granted.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff failed to respond to Baldwin's motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon his claims against Baldwin. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and

to file a response to the motion by March 28, 2023. Plaintiff is further advised that if he fails to respond, the undersigned will recommend Baldwin be dismissed for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

March 14, 2023
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge